

State of California
California Regional Water Quality Control Board
Colorado River Basin Region

MINUTES OF BOARD MEETING

January 16, 2008, 10:00 a.m.
City Council Chambers
City of Indio
150 Civic Center Mall
Indio, CA 92201

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Vice Chair Ellen Way at 10:02 a.m. on January 16, 2008, in the City Council Chambers, City of Indio, California.

Roll Call (Board Members Only)

Board Members Present:

Thomas Davis, Jeff Hays, Maurice "Red" Martinez, Edward Muzik, Richard Post, and Ellen Way. The Board Secretary stated that a quorum was present.

Staff Present:

Adnan Al-Sarabi, Jose Angel, Terry Barnes, Mary Castaneda, John Carmona, Francisco Costa, Kai Dunn, Abdi Haile, Kirk Larkin, Robert Perdue, Cliff Raley, Logan Raub, Jon Rokke, Ivory Stark, Hilda Vasquez, Doug Wylie, and Nadim Zeywar.

Others Present:

Lee Anderson, RCFB
Chuck Bell, Lucerne Valley EDA
Steve Bigley, Coachella Valley Water District
Arlene Chun, Riverside County Flood Control
Linsey Dale, Imperial County Farm Bureau
Peter Kozelka, U.S. EPA Region 9
Richard Selby, LVEDA
Jean Magee, Lucerne Valley EDA
Steve Pastor, RCFB
John Powell, Farmer
Richard Selby, LVEDA
Ellen Lloyd Trover, RCFB
Tom Vandenberg, SWRCB, OCC
Gian Villarreal, RBF/CALTRANS
Darl Young, Cocopah Nurseries/Young Farms

Duane Young, Cocopah Nurseries/Young Farms
Greg Young, Cocopah Nurseries/Young Farms

Minutes

1. Minutes of the November 8, 2007, Board Meeting

MOTION:

Jeff Hays moved, Red Martinez seconded, and motion carried unanimously that the November 8, 2007 Minutes be approved as submitted. Ed Muzik and Tom Davis abstained.

Public Forum

2. Lindsey Dale from Imperial County Farm Bureau complimented Regional Board staff, Ivory Stark on the great work she has done with the Farm Bureau. She also stated Ivory will be greatly missed.

UNCONTESTED NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS AND WASTE DISCHARGE REQUIREMENTS

3. JP R7-2008-0004 Waste Discharge Requirements for ORNI 17, LLC., Well Field Owner, ORNI 18, LLC., Power Plant Owner, John Benson, Land Owner, Ormat Nevada Inc., Facility Operator North Brawley, Brawley Geothermal Project Wellfield Mud Sumps/Containment Basins, North Brawley Known Geothermal Resource Area (KGRA) – Imperial County (Revision 1)

MOTION:

Tom Davis moved, Rick Post seconded, and motion carried unanimously that Waste Discharge Requirements Order No. R7-2008-004 be adopted with errata.

4. JC R7-2008-0005 Change of Name and/or Ownership for Simon Concrete and Aggregates, Indio – Riverside County

MOTION:

Tom Davis moved, Rick Post seconded, and motion carried unanimously that Board Order No. R7-2008-0005 be adopted.

5. JR R7-2008-0006 Rescission of Waste Discharge Requirements for R7-2007-0028 for Mesa Apartments - San Bernardino County

Board Order No. R7-2008-0006 was pulled from the Agenda.

UNCONTESTED ENFORCEMENT ACTIONS

6. DW R7-2008-0009 Administrative Civil Liability Order for Imperial Irrigation District, Owner/Operator, Grass Carp Hatchery, El Centro - Imperial County

MOTION:

Jeff Hays moved, Red Martinez seconded, and motion carried unanimously that Administrative Civil Liability Order No. R7-2008-0009 be adopted.

RESOLUTION

7. RP R7-2008-0007 Resolution for Nancy Wright

MOTION:

Jeff Hays moved, Rick Post seconded, and motion carried unanimously that Resolution Order No. R7-2008-0007 be adopted.

Other Business

8. Informational Update on Lucerne Valley Sewer Project

Chuck Bell gave an update on the Lucerne Valley Sewer Project

9. Informational Update on Coachella Valley Stormwater Channel Bacterial Indicators TMDL

The Regional Board adopted the Coachella Valley Stormwater Channel Bacterial Indicators Total Maximum Daily Load (hereafter referred to as "CVSC TMDL") at a public hearing held on May 16, 2007. The Regional Board also directed staff to conduct three Public Workshops with affected stakeholders and other interested persons. The following paragraphs summarize TMDL comments and actions discussed during the Regional Board Meeting on January 16, 2008.

In general, speakers representing the Coachella Valley agricultural community and the Coachella Valley Water District (CVWD) requested withdrawal of the CVSC TMDL from State Board consideration. This request was based on a perceived lack of data concerning the potential contribution of agricultural discharges of E. coli bacteria to the CVSC. To close this data gap over the next 18 months, the speakers committed to form a Task Force to develop a monitoring plan for E. coli, to conduct monitoring for approximately one year, and to submit a report for the Regional Board's consideration.

Peter Kozelka, USEPA, argued for moving forward with the TMDL, reminding the Regional Board that monitoring is already the main part of Phase I TMDL Implementation. Mr. Kozelka also commented that if the Regional Board did go forward with the planned withdrawal of the TMDL, that the Task Force include representatives from the Regional Board staff, that the Task Force monitor for all Bacteria Indicators that are contained in the Basin Plan, and that the Task Force explores the more stringent Bacteria Standards (i.e. the geometric mean).

Regional Board staff proposed withdrawal of the TMDL from State Board consideration until sufficient data are collected and analyzed to determine if agricultural discharges are contributing to the impairment of CVSC. The Regional Board, the Regional Board Executive Officer, and the Regional Board attorney discussed the matter further, and directed the Executive Officer to send a withdrawal request to the State Board Executive Officer.

10. Election of Regional Board Chair and Vice-Chair for Calendar Year 2008

Ellen Way was nominated for Chair and Jeff Hays nominated for Vice-Chair.

MOTION:

Rick Post moved, Red Martinez seconded, and motion carried unanimously that Ellen Way will be Chair and Jeff Hays will be Vice-Chair.

11. Informational Update on State Water Resources Control Board Activities

Tom Vandenberg, Legal Counsel, Office of the Chief Counsel (OCC), mentions the Morongo case brief is due to be filed by the State Water Board in the California Supreme Court by January 22nd. The State Board also publicly noticed, you can see on the website, the draft Water Quality Enforcement Policy which needs to be updated. The workshop is scheduled soon. If anyone has any comments about that, the State Board website has solicited all those comments, and will be considering them in a workshop for further comment. They will continue to work on the water recycling policy. Tom talks about the issues of all the water that is being used for golf courses and the desert community. He says they are trying to have a State wide Policy to try to encourage or require those types of facilities and others that can use reclaimed water in a manner that doesn't create any public health problems, to reduce the burden on drinking water supplies that aren't apparently not needed for these type of uses.

12. Colorado River Basin Water Board Executive Officer's Report – RP

Mr. Perdue reported on recent hiring and the potential impacts of future General Fund cuts on the office budget. Additionally, he discussed the ongoing Strategic Planning process and progress on the PG&E Topock Chromium cleanup along the Colorado River near Needles.

13. Colorado River Basin Water Board Member Comments

Red Martinez said the WQCC meeting was a very productive gathering of power points. They were extremely well done. Tom Davis said he appreciated Robert's help in regards to orientation. Tom also wanted to mention Nancy Wright. When he first considered applying for the Board, she was very helpful, outgoing and accessible. She was very helpful in the insight as to the events taking place. He appreciated that.

14. Colorado River Basin Water Board Chair's Report – EW

No report was given.

Closed Session

15. No closed session was held.

Arrangements for Next Board Meeting

Date: March 19, 2008

Adjournment

Rick Post moved to adjourn the meeting. Jeff Hays seconded. The meeting adjourned at 11:33 a.m.